

**REMARKS**

By the above amendments, claims 1, 3-5, and 13-18 are revised and claims 2, 6-8, and 19-24 are canceled. By these revisions, claims 1, 3-5, 9-18 are pending.

Applicants elect the Group I invention with traverse.

Groups I, II, and III, according to the new set of claims, now have the colloidal particles as defined in claim 1 as their common element. These colloidal particles are new with respect to the prior art since none of the prior art teaches or suggests colloidal particles which are composed from:

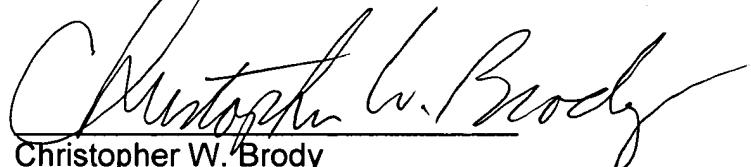
- a) the polymer now recited in claim 1;
- b) a stabilizer which is CMC; and
- c) one or more pharmaceutically active substances.

In the restriction requirement, the Examiner alleges that a single general inventive concept did not run through the claims so that restriction was proper. This reasoning is no longer valid in light of the revisions to the claims. The colloidal particles as the single general inventive concept as described above are found in the method of use and the method of making so that Groups II and III should be examined along with Group I.

It is also submitted that the revisions to claim 1 make the species election requirement moot since species for the various aspects of the claim are now set forth in claim 1. Thus, the presentation of claim 1 in its revised form is, in effect, an election of species and this filing is responsive to the species election requirement.

Applicants petition for a two month extension of time and a check in the amount of \$245.00 is enclosed. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
CLARK & BRODY



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